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THE ORIGINAL SIN IS FEDERAL AID

The Social Security Act of 1935 provides that a woman can get ADC funds (aid for dependent children) only if the father of her children is continually absent from home and contributes nothing to support his offspring.

This provision has encouraged paternal desertion and the breeding of illegitimate children. There are cases of fathers deliberately abandoning wife and children to make them eligible for ADC funds; of women refusing to marry the fathers of their children in order to qualify for ADC funds; of women getting ADC funds for a dozen or more illegitimates.

Twenty states formulated rules to discourage tax-subsidized illegitimacy. Under these rules, a woman could not get aid for dependent children if she lived with a man, whether legally married to him or not. In other words, if a woman kept a "man in the house" who was not the legal father of her children, he was considered a "substitute father" who should help support the children; and the woman was not eligible for ADC.

Federally-subsidized welfare has caused another, and related, social problem of disastrous dimensions: the piling up in big cities of people who do not work because they do not want to work. They go to cities where they can get more welfare benefits for doing nothing, than many self-supporting, tax-paying citizens can earn by working.[1]

As the relief rolls grow, the burden on workers who pay taxes becomes crushing. Hordes of idle reliefers, demonstrating for bigger handouts, are goaded into hatred of, and outright warfare against, the society which supports them in idleness.

Some 42 states and the District of Columbia, trying to stem the dangerous influx of reliefers, established waiting periods to keep people off welfare rolls until they had resided in the state for a minimum time (usually, one year).

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In 1967, the American Civil Liberties Union, several other "liberal" organizations, and poverty war agencies (using tax money provided by the federal government) induced and financed reliefers to bring suits in federal courts challenging the "substitute father" rule in Alabama, challenging state residence requirements in Connecticut, Pennsylvania, and the District of Columbia.[2]

A three-judge federal court invalidated Alabama's "substitute father" welfare rule on the grounds that there was no rational basis for denying welfare benefits to children because of their parents' misconduct. The court overlooked the obvious fact that welfare benefits do not go to hapless children, but to mothers — many of whom let their children run wild, improperly fed and clothed, while the ADC funds (taken out of the paychecks of decent parents who support their own children and respect the laws and mores of society) are spent on vices, luxuries, and boyfriends.

Federal courts invalidated the welfare residence requirements of Connecticut, Pennsylvania, and the District of Columbia on the grounds that they violate reliefers' rights to travel freely from one state to another, and that they violate the "equal protection" clause of the 14th Amendment by denying some needy persons in the state benefits which other needy persons get.[2] Connecticut, Pennsylvania, and the District of Columbia were ordered to provide "instant welfare" for reliefers whether they are residents or not.

The "substitute father" case and the three "instant welfare" cases went to the Warren Court on appeal during the term that ended June 17, 1968. The court upheld the lower federal court in the "substitute father" case, and heard arguments in the "instant welfare" cases.

Several of the Justices — especially Thurgood Marshall — sharply questioned attorneys defending the state residence requirements. Marshall twice referred to the requirements as laws which "fence out the poor."[2]

The Warren Court did not, however, hand down a decision in the "instant welfare" cases in 1968, but ordered them held over for the next term.

On April 21, 1969, the Supreme Court, in a 6-3 decision, upheld lower court decisions invalidating residence requirements for welfare assistance in Connecticut, Pennsylvania, and the District of Columbia.

Though the Department of Health, Education, and Welfare was not involved in the instant-welfare cases — and though the cases affected only two states — HEW Secretary Robert H. Finch ordered all states to abolish residence requirements for welfare, immediately. In doing so, Finch violated federal law. In the statutes authorizing federal funds for state welfare programs, Congress specifically directed that no state welfare plans be disapproved because of residence requirements.

Most states will probably be afraid not to obey Finch's illegal orders, however, because they fear the loss of federal funds.[3]

What were Finch's motives? One seems obvious; and it is, to use a senseless liberal term, "racist."

States like California and New York provide such generous welfare benefits that they lure reliefers from other states. The migrant reliefers who have caused the most trouble, and added most to the cost of welfare in northern and western states, are Negroes.

HEW Secretary Finch is prominent among northern and western liberals who want to keep indigent Negroes "where they belong" (in the south, that is), by setting up a national welfare system that will give reliefers in Mississippi as much as they can get in California. State and local governments would have no authority or responsibility in the system.

If Finch's illegal action in ordering all states to provide instant welfare causes a sharp rise in migration of reliefers from low-welfare states to high-welfare states, Congress may do what Finch wants: pass another unconstitutional law to nationalize and standardize welfare assistance.

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If Congress refuses, Mr. Finch, the entire Nixon administration, and the claque of liberals now applauding the illegal "instant welfare" orders could find themselves hoist by their own petard. It will not take a very big increase in the influx of reliefers into northern and western cities to make existing chaotic conditions wholly intolerable.

What will liberals do then? They will never admit error. They will demand more pillaging of productive citizens to provide handouts for idle hordes — who are idle, primarily, because liberal welfare-state policies deflected them from gainful employment.

Even Earl Warren dissented in the "instant welfare" decision, because of implications in the decision that could affect a "multitude of situations in which states have imposed residence requirements, including eligibility to vote, to engage in certain professions or occupations, or to attend a state-supported university."[3]

By extending the use of illegal federal guidelines to enforce illegal court edicts, the Nixon administration could be opening a Pandora's box.

Federal courts have illegally banned prayer and Bible reading in some school systems. When will HEW issue guidelines to extend this ban to all schools, threatening to discipline those where children are still permitted to pray and read the Bible?

On July 8, 1969, the Nixon administration threatened to sue the Waterbury, Connecticut, school district if it does not immediately "stop allowing white students to escape its predominantly non-white schools by attending Roman Catholic schools."[4]

If the government closes church schools by prohibiting students from attending them, giving government schools an absolute monopoly over children, and then guidelines God out of all the government schools — when will the American Civil Liberties Union and related totalitarian organizations get federal court injunctions against parents for teaching their children about God? A ridiculous question with an unjustified inference? Perhaps.

When will the federal government force states to increase taxes on productive citizens to provide handouts for non-productive citizens? That has already started.

The federal government supplies approximately $4 in tax money for welfare in Texas to match every $1 the state puts up. The Texas constitution limits expenditure of state tax money on welfare to $60 million a year. This means that annual welfare disbursements in Texas are limited to about $300 million. When Texas (on September 1, 1968) implemented the Warren Court's "substitute father" rule by adding about 30,000 persons to ADC welfare rolls, there was not enough money to go around; so, allotments to all ADC families were reduced from $135-a-month maximum to $123 a month.

The Texas legislature proposed a constitutional amendment (on the ballot in November, 1968) to raise the state's welfare-spending limit to $75 million annually. Texas voters rejected the amendment.

Thereupon, lawyers with the Dallas Legal Services Project (a poverty war agency, financed with tax money from the Office of Economic Opportunity) urged Negro welfare mothers in Dallas to demonstrate and protest. Many of the women were reluctant to participate, but two leaders of the Student Non-violent Coordinating Committee (SNCC) helped the tax-financed legal agitators win some welfare mothers over. The two SNCC members are both convicted felons — free on appeals bonds after having been sentenced to ten-year prison terms for a destructive raid on a grocery store in Dallas earlier in 1968.

On the morning of November 26, 1968, six members of SNCC (including the two convicted felons) stormed into the Dallas welfare offices, disrupted a staff meeting, demanded to see "the big shots."

The SNCC militants were followed by about 20 Negro welfare mothers. They did not merely protest the reduction in ADC payments. They demanded, among other things, that the welfare department instantly raise ADC payments to $100

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a month for every child in every welfare family (which would give some families upward of $1000 a month), and that every ADC family be given a special "winter grant" of $50 per child for clothing.

Mrs. Ruth Jefferson, leader of the demonstrating mothers, has five children, and has lived on welfare for years, though she is young and healthy — and has enough surplus cash that she recently bought an automobile. Asked why she does not work, Mrs. Jefferson angrily replied that she does not have to work, because she has a right to welfare money.

Reinforced by a few white students from Perkins School of Theology at Southern Methodist University, the demonstrators staged a sit-in. The next day, a local court ordered them to leave the welfare offices. They violated the order, but left voluntarily on the evening of November 27. Later, 21 of the demonstrators were given 3-day suspended jail sentences for contempt of court. Some cursed audibly when the court pronounced the sentences, but were not even rebuked for that contempt.

On February 12, 1969, the Dallas Legal Services (using tax money from Washington) filed suit on behalf of three welfare parents: Mrs. Ruth Jefferson, another Negro mother, and a Mexican father. Collectively, these three have 20 children. Their lawsuit claimed that the Texas constitutional limitation on welfare spending violates the federal social security law, and alleged that the reduction in monthly welfare allotments for ADC families stemmed from racial prejudice because most ADC families in Texas are Negroes and Mexicans. The plaintiffs asked that Texas be ordered to "appropriate sufficient funds of money so as not to deny a reasonable standard of living for the plaintiffs and the members of their class."

On July 1, 1969, a 3-judge federal court in Dallas decided this case, rejecting the racial-prejudice allegation, but enjoining Texas from receiving federal funds for welfare after September 1, 1969, unless Texas increases aid to dependent children.[5]

In a referendum election on August 5, 1969, Texans will again vote on a constitutional amendment to raise the welfare-spending limit — this time to $80 million a year. I hope they defeat the amendment, emphatically.

What I said last week, with regard to illegal federal meddling with school operations, applies to illegal federal meddling in welfare, business, housing, farming: the original sin is the federal aid. The Constitution grants the federal government no power to aid or meddle in any of these fields; and the Tenth Amendment reserves to the states (or the people thereof) all powers not specifically granted to the federal government.

Unless we stop illegal federal aid, we will never stop illegal federal controls.

FOOTNOTES

(1) *U.S. News & World Report*, July 17, 1967, p. 46

(2) Washington *Evening Star*, May 2, 1968, p. B6; *Dallas Morning News*, editorial, Nov. 12, 1967

(3) *Human Events*, June 28, 1969, p. 11

(4) UPI from Washington, July 9, 1969

(5) All information on the Dallas welfare controversy is from *Dallas Morning News*, Nov. 26, 1968, pp. 1, D8; Nov. 27, 1968; Nov. 28, 1968, p. 1; Dec. 1, 1968, p. 1; Dec. 6, 1968, p. A10; Dec. 7, 1968, p. 1; Jan. 28, 1969, p. 2; Feb. 13, 1969, p. D1; July 2, 1969, p. 1; *Dallas Times Herald*, Nov. 26, 1968, p. 1; Nov. 28, 1968, p. A33; Dec. 5, 1968, p. 1; Dec. 9, 1968, p. A21; WFAA-TV Newscast, Nov. 26, 1968.

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